

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CRIMINAL ACTION NO. 3:24-CR-00134-KDB-SCR**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**MELVIN BAYLOR,**

**Defendant.**

**ORDER**

**THIS MATTER** is before the Court on Defendant's Motion to Dismiss the Indictment (Doc. No. 22). In his Motion, Defendant argues that as applied to him, 18 U.S.C. § 922(g)(1) violates the Second Amendment. In the same motion, however, Defendant acknowledges that his as applied argument has been foreclosed by the Fourth Circuit's recent decision in *United States v. Hunt*, 123 F.4th 697 (4th Cir. 2024) (finding 18 U.S.C. § 922(g)(1) constitutional both facially and as applied).<sup>1</sup> Accordingly, the Court will **DENY** the motion.

**NOW THEREFORE IT IS ORDERED THAT:**

Defendant's Motion to Dismiss the Indictment (Doc. No. 22) is **DENIED**.

**SO ORDERED ADJUDGED AND DECREED.**

Signed: January 15, 2025,

  
\_\_\_\_\_  
Kenneth D. Bell  
United States District Judge  


<sup>1</sup> Specifically, in *Hunt*, the Circuit reinforced *District of Columbia v. Heller*, 554 U.S. 570 (2008), which made clear that the Second Amendment provides protections to “law-abiding” citizens. 123 F.4th at 705. *Hunt* notes that nothing in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 597 U.S. 1 (2022), or *United States v. Rahimi*, 602 U.S. 680, (2024) alters the reading of *Heller*. *Id.* Further, the Court of Appeals also found that the “historical record contains ample support for the categorical disarmament of people ‘who have demonstrated disrespect for legal norms of society.’” *Id.* at 706 (quoting *United States v. Jackson*, 110 F.4th 1120, 1127 (8<sup>th</sup> Cir. 2024)).